

Notice of Allowability

Application No.

10/781,390

Examiner

Cindy Nguyen

Applicant(s)

EPPLEY ET AL.

Art. Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/12/07.
2. ☒ The allowed claim(s) is/are 1-9, 14, 16-29 (renumber as 1-24).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 03/26/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


ETIENNE LEROUX
PRIMARY EXAMINER

DETAILED ACTION

This is in response to amendment filed on 04/12/07.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 03/26/07. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Allowable Subject Matter

Claims 1-9, 14, 16-29 are allowed in light of the applicant arguments and in light of the prior art made of record.

The following is an examiner's statement of reasons for allowance: the prior art of record failed to disclose: make obvious, or otherwise suggest a method implemented at least in part by a machine, the method comprising: wherein traversing further comprises: comparing a first segment of the hierarchical data with a first node in a filter tree level that corresponds with a position of the first segment in the hierarchical data; if the first segment does not match the first node, determining that the input does not match the first node; if the first segment matches the first node and there is a subsequent second segment in the input, comparing the subsequent second segment to one or more second nodes in the filter tree that are subordinate to the first node; and if the first segment matches the first node and there is not a subsequent second segment in the input, determining that the input matches the first node as recited in claim 1.

The prior art of record failed to disclose: make obvious, or otherwise suggest: a system, comprising: wherein the secondary matching module is further configured to apply a precedence rule to the one or more matching filter tree nodes to derive a subset of the matching filter tree nodes and to identify only the filters associated with the subset of matching filter tree nodes as recited in claim 14.

The prior art of record failed to disclose: make obvious, or otherwise suggest: a method, comprising traversing a hierarchical data structure stored in the memory that is used to reference each of the multiple filters to determine if an existing location in the data structure matches the segment path included in the data transmission if an existing location is not found, creating a new location in the data structure, the new location being determined according to the hierarchical reference data and storing a reference to the new filter at the new location as recited in claim 21.

The prior art of record failed to disclose: make obvious, or otherwise suggest: a computer storage media containing computer-executable instructions that, when executed on a computer perform the following steps: identifying one or ore filters associated with the one or more matching locations; testing the message against one or more filters referenced by the one or more matching locations; and for each filter satisfied by the message, executing one or more instructions associated with the filter as recited in claim 25.

The dependent claims 2-9, 16-20, 22-24 and 26-29, being further limiting to the independent claims 1, 8 and 15 definite and fully enable by the specification are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cindy Nguyen

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